Case 3:73-cy-00127-MMD-CSD Document 2 Filed 02/24/06 Page 1 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT OKDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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or to the jurisdiction or venue of the Court Summons or in the service of the Notice in	except for objections based on a defect in the Lieu of Summons.	
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Date: 10 Nov 05	Signature A obsas	The state of the second programs of the secon
	Printed/Typed Name	A SECTION OF SECTION ASSESSMENT
	If you are acting on behalf of any entity, is	lentify that you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other	entity)

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear he cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cy-00127-MMD-CSD Document 2 Filed 02/24/06 Page 3 of 40

WALVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: Nov. 35, 2005

Signature

ANDREA Ellington - Peyer

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 2 Filed 02/24/06 Page 4 of 40

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Date: 15-20-25

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cy-00127-MMD-CSD Document 2 Filed 02/24/06 Page 5 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

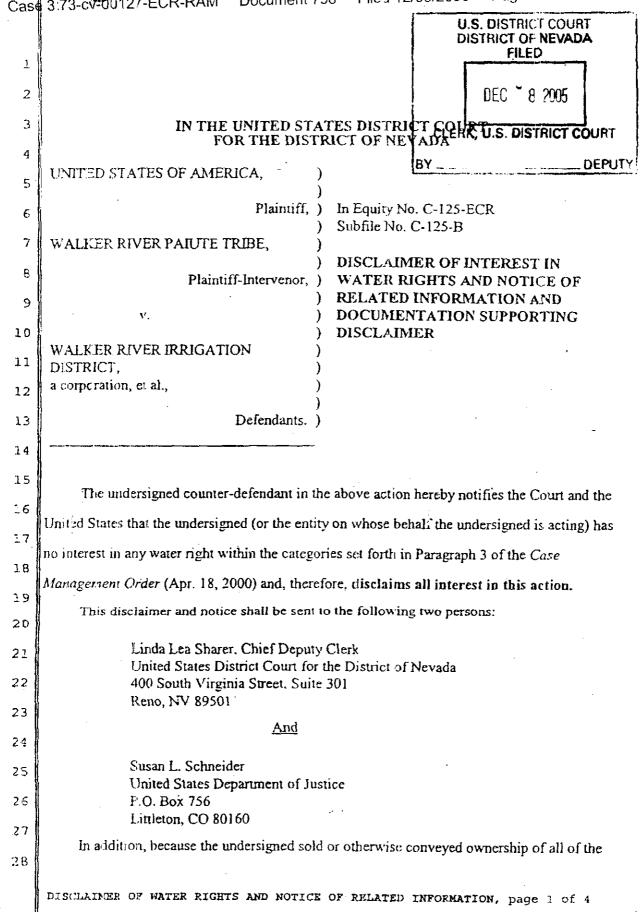
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Case 3:73-cv-00127-MMD-CSD Document 2 Filed 02/24/062 Page 6 of 40 Case 3:73-cv-00127-ECR-RAM Document 798



7	
2	
3	3. Attached to or included with this notice is a copy of the (check appropriate
4	box(es)):
ē:	Deed SEE ATTACHED LIST
6	Deed
7	. 🛘 Court Order
8	Other Document.
ġ	
0	by which the change in ownership was accomplished.
	4. The undersigned acknowledges that any person or entity who files a Disclaimer
.1	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
.2	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
.3	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
.4	this litigation.
.5	
.6	Executed this 30 day of 0 200 5
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2	Kale to he
2	[signature of counter-defendant]
.з	
4	
Ξ	ROLAND FAI Pekek
6	[name of counter-defendant]
7	

1	-
2	3. Attached to or included with this notice is a copy of the (check appropriate
3	box(e ₃)):
4	
5	Deed — SEE ATTACHED UST
6	□ Court Order 45T
7	Other Document.
ا و	
 10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
.5 ∤ .5 ∫	this litigation.
15	Executed this 20 day of Oct 2005.
-	the time time 2 2 day of 2005.
3.	
20	Lu Jackere D
1	hu Taylor D
22	[signature of counter-defendant]
23	
≥4	LEE FAIFEREK
2.5	LEE TAILEREK
26	[name of counter-defendant]
27	
8	

Mr. J. Social / Loyce Seward RO. Dox 125 Wellington 89444

me I. BUART / Mrs V. BWART 2570 PRAVENSTEIN Hoy So Schristopol, CA 95472

Me Devere BARKER Rightway Investments LLC 1955 BARING Blod SPACKS, NO 89434

Piwion Ranch Estates LLC 423 Chaire Court gardinerville No. 84460

EICTY CODA ***	
•	318232
•	gi figul ne coros e ton county, nev.
APN. 1 009-042-03	RECORD HEOVESTED BY
RPTT S 423.00	STEWART TITLE OF
PROPERTY OF THE PROPERTY	MARY C. SILLIBAN
MAN, TAX STATEMENTS TO:	COUNTY RECORDER
THE PROPERTY.	ett Here as KV
A	
WHEN RY DED MAIL TO:	
423 COURT	
	(Space Above for Recorder's Use Only)
	rgain, sale déed
THIS INDENTURE WITNESSTTY THE BY	OLAND PAIFEREK AND LEE PAIFEREK,
in consideration of \$10.00, the receipt of which and Convey to PENECON RANGE EN A. LEABLURY COMPANY	the hereby acknowledged, does hereby Grant, Bergain Sell
	% .
and to the beirs and assigns of such Grustoe for unincomposented areaCounty of Lyc SEE EMBIEST "A" ATTACHI	ED HERETO AND MADE A PART HEREOW
Together with all and singular the tenements, he accounts appears using and any reversions, remains	creditations and appartments; or greatests percented becoming of in
DATE: March 26, 2004	X (=1
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	minus chileman)
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,	L HENDRICK
and the state of t	And the state of t
STATE OF MEVADA	
ONNY OF DOUGLAS	
This instrument was acknowledged before me	00 3-30-04
W ROLLIED PAINTREE and LEE ?	ALTEREX
	TXF
Signature Supplement	MA
O)UNITY OF DOUGLAS This instruction was acknowledged before may NOLAMO VALVEREE and LEE V	ON 3-30-04 ALVERIEN ALVERIEN ON All Sides of decreased for Recorder's Use Only)

318232

*** THIS IS AN UNCEFICIAL COPY ***

LEGAL DESCRIPTION

04010671306

deferred to herein is situated in the State of Nevada,

All that real property in the County of Lyon, State of Nevada, specifically provided as:

That certain Parell of land known as "THE GREEN AREA", as shown on the Final Map de Stuebird Estates Unit One, recorded in the Official Records of Eyon County, Nevada, on June 19, 1981, as Donument No. 61050.

ASSESSOR'S PARCEL NO.

*** THIS IS AN UNOFFICIAL COPY ***

KSCROW WO.: 040700711

property A. C. A. C. C. A. Together with all water rights, surface or ground, mitted, certificated, adjudicated, or vested, as well as beings, springs, and other rights to water, of any nature attempts, appurtement to or historically used on the

Case 3:73-cy-09127-MMD-CSD-Pagument265ibet 02/24/96 Bage 12 of 40

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KPTT. 141.75

DOC # 348432

OFFICIAL RECORDS

Lyon County - HV

WATER RIGHTS GRANT DEED

THIS DEFOURE, made and entered into this 15 day of April, 2005, by and be ween ROLANS a delete FAIFEREK, husband and wife, party of the first part, and JOHN and JOYCE and rich, party of the second part; P.O. Boy 125

Wellington NO TITNESSETH:

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first perchereby grants, transfers and conveys unto the said party of the second part, all right dile ind interest in 3.03 acre-feet of those water rights evidenced in Nevada Permit Sumbo 66524, see application to change 72 |80, and 3.03 acre feet of those water right evidenced in Nevada Permit 68043, see application to change 72181, to be utilized only to the described property: That certain piece and parcel of real-property known as Lyon County Assessor's Parcel No.10-761-44, and more particularly described as follows.

All that certain property situate in the County of Luca. State of Nevada, within the West portion of Section 5, T. 9N., R. at E., M.D.B.&M.

*** THIS IS AH UNOFFICIAL COPY ***

348432

84/15/2005 882 of 2

IN WITNESS WHEREOF, the party of the first part has executed this conveyance

ROLAND PAIFEREK

LEE FAIFEREX

ACKNOWLEDGMENT

STATE OF NEVAD

COUNTY OF COUNTY

On 4-15 2005 fore me, 10-1-1

Notery Public, personally appeared ROLA ID RAIFEREK and LEE FAIFEREK, personally known to me (or proved to me doube) his of satisfactory evidence) to be the persons whose names are subscribed to the within inathment and acknowledged to me that they executed the same in their authorized capaties, and that by their signatures on the instrument, the persons or the entity upon behalt of anich the persons acted, executed the instrument

WITNESS my hand and official seal.

Kathryn L. Amea
Hotary Public, State of Hereda
Appointment No. 03-03020-5
My Appl. Expires July 24, 2007

NOTARY PUBLIC

"" THIS IS AN UNOFFICIAL COPY "

	DOC # DV-348432
STATE OF NEVADA	64/19/2005 60:47 an Official Record
DECLARATION OF VALUE	Region: Lock By
1 Accesere Carget Mumberla.	Jälei kijunen Mary U. (18118-988) - Maccarour
() # 10-7/e/294	Phone 1 of 1 Feet \$15.86
1)	Prosected by: NCh SP\$1: \$40.76
2. Type of Property:	FOR RECORDERS OPTIONAL USE ONLY
n) (i) Vacant Land b) (i) Single Fam. Res. c) (i) Condo/Twikes d) (i) 2-4 Plex	DOCUMENT/INSTRUMENT #
c) D Apt. Bldg (A) Comm'l/Ind'l	DATE OF RECORDING:
g) [Agricultural h) Mobile Home	NOTES: Whiteelte Thisely Olice
i) D Other was Pengly	Phanilax
3. Total Value/Sales Price of Commun.	s 12, 1-20 00
Deed in Lieu of Foreclosure only dedue of property)	(
Transfer Tax Value: Real Property Transfer Tax Due:	11905
real Property Transfer Tax Edg.	
4. If Executive Claimed: a. Transfer Tax Exemption per NRS 37 A000-Se	ania M
b. Explain Reason for Exemption:	ection #
5. Partial Interest: Percentage being transferred:	9
The undersigned declares and acknowledges, under policy NRS 375.110, that the information provided is correct	
be supported by documentation if called upon to subst	
Furthermore, the parties agree that disallowance of an	y claimed exerction or other determination of
additional tax due, may result in a penalty of 10% of t	he tax due plus marco 1864 % per month.
Pursuant to NRS 375.030, the Enver and Seiler shall be jo	intly and severally habit for my additional
amount owed	
Signature C	apacity Bank e 12 -
SignatureC	specity
SELLER (GRANTOR) INFORMATION B	UYER (GRANTEE) INFORMATION
(BEOUTER)	OF CATEUR !
Print Name: Rolland Lee Fri Fere & Print Name Address: Ca. Baye 115 Address:	ne. John F. Javana
Address: City: City: City:	Locality of the
Stay: VH. Zin: #04-30 Stay:	William Foto: 88 9 clast
	NU. 2ip: 83944+
COMPANY/PERSON REQUESTING RECORDING (required if polythe seller or buyer)	
Mr. A A.	row #
Address:	10 m m
City: State:	Zip:

Case 3:73-cy-00127-MMD-CSD Document 205/196 02/24/06 Page 15 of 40

*** THIS IS AN UNOFFICIAL COPY ***

John Seward POBOY 125

APN 10-741-43

DOC # 356506

177.1512005 pa.44 on
Official Executive Process Colors
Lyon County - M
Accorded By: 487 - 6977; \$36.35

WATER RIGHTS GRANT DEED

THIS INDENNOT conde and entered into this 14 day of JULY, 2005, by and between ROLAND and 122 A STEREK, husband and wife, party of the first part, and JOHI and JOYCE SEW RD party of the second part;

WANESO THE

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants to take and conveys unto the said party of the second part, all right, title and interest in 3.11 acro-fect of those water rights evidenced in Nevada Application/Permit Number 36524 Certificate 72180, and 5.11 acro-fect of those water rights evidenced in Nevada Application/reset 3043 Certificate 72131, to be utilized on the following described property: That certain face and parcel of real property known as Lyon County Assessor's Percel No. 70-761-43, and more particularly described as follows:

All that certain property situate in the County of Lyon, Nevada, within the West portion of Section 5, T. 9N., 1

M.D.B.&M.

This transfer is bound by a promissory note and the above water rights may not be sold, transferred, or otherwise encumbered until said note is satisfied.

Page 1 of 2

Case 3:73-cy-00127-MMD-CSD-Decument 205169 02/24/06 Page 16 of 40

*** ITHIS IS AN UNOFFICIAL COPY ***

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356546

67/15/2065 882 of 2

IN WITNESS WHEREOF, the party of the first part has executed this conveyance the day and year first above written.

ROLAND FACER K

Lee Partener

ACKNOWLEDGEMENT

STATE OF NEVADA

COUNTY OF JUM

ON July 2142005 before me,

husenber/4

Notary Public, personally appeared ROLAND FAIFE EK and LEE FAIFEREK, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and an owledged to me that they executed the same in their authorized capacities, and the by their signatures on the instrument, the persons executed the instrument.

WIYNESS my hand and official seal.

LOFENA QUISENEEFRY
Novery Public - State of Nevada
Applicated Recorded by User Confy
sec at 6516-12 - Espina Damerbur 17, 2008

Page 2 of 2

DOC # DV-356506 STATE OF NEVADA DECLARATION OF VALUE Assessora Pancel Nurther(s) 2. Type of Property: FOR RECORDERS OFTONAL USE ONLY a) 🖰 Vacant Land b) 🖰 Single Fam. Res. DOCUMENTANSTRUMENT 6: c) I Condo/Fullbre d) D 2-4 Plex c) J Apt. Bldg D L Comm's f) L' Comm'l/Ind'i BOOK DATE OF RECORDING Mobile Home g) ... Agricultura i) O thoraid. 3. Total Value/Sales Prid talue of property) Deed in Lieu of Foreclose Transfer Tax Value: Real Property Transfer Tax D 4. If Excustion Claimed: a. Transfer Tax Exemption per NRS 3 Section # b. Explain Reason for Exemption: 5. Partial Interest: Percentage being transferred: The undersigned declares and acknowledges, under penals of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the test of their information and belief, and can be supported by documentation if called upon to substantiate the information provided hereia. Furthermore, the parties agree that disallowence of any claimed exemption or other determination of additional tax due, may result in a penalty of 10% of the tax due plus in security. I % per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally v additional amount owed. Signature_ _Copacity _ SELLER (GRANTOR) INFORMATION **BUYER (GRANTEE) INFORMATION** (REQUIRED) (REQUIRED) Print Name: Lee & Rulano Address: PO Box 15 Print Name: Address: DO Address: 300-11 City: Welling han City: 89431 State: State: COMPANY/PERSON REQUESTING RECORDING (required if ect the refer or brayer) Print Name:_ Escrow # Address:,... (AS A I'UBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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DOC # 356468

Optin

P. O. BOX 125 Wellington HU.

WATER RIGHTS GRANT DEED

ITHIS INDENTION counsed and entered into this // day of JULY, 2005, by and between ROLAND and it is affected, husband and wife, party of the first part, and JOHN and JOYCE SEV ARD party of the second part;

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the said party of the first part hereby grants trusted and conveys unto the said party of the second part, all right, title and interest in 15 acres fest of those water rights evidenced in Nevada Application/Permit Number 36524 certificate 72180, and 25 acres fest of those water rights evidenced in Nevada Application/Part 16 8043 Certificate 72181, to be utilized on the following described property: That o rain piece and parcel of real property known as Lyon County Assessor's Parcel Note 0-761-43, and water particularly described as follows: described as follows:

> All that certain property situate in the County of Lyon, Nevacia, within the West portion of Section 5, T. 9N., 24E. M.D.B.& M.

> > Page 1 of 2

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	E OF NEVADA ARATION OF VALUE	DUC Q By=300405 F/14/286 8:31 M Official Record
W 2-70,-17.25		Requisited By John Strano
1.		Hery C. Hillian - Becarder
	b)	
	d)	Page 1 of 1 Fee: \$15.00 Reported By: DLS MPTT: \$200.00
	d)	•
2.	Type of Property:	POR RECORDED CONTONAL HER ONLY
	a) (Vacant Land b) L Single Fam. Re	FOR RECORDERS OPTIONAL USE ONLY DOCUMENTANSTRUMENT R.
	e) Condo/Twitne d) C 24 Plex e) Art Bidg d) \(\text{Comm'i/Ind'1} \)	BOOK PAGE
	ei _ Art. Bldg f) [] Comm't/Ind'l	MINE ARTHOODING
	g) & Agricultural h) C Mobile Home	NOTES: COMP CONTROL
	i) I Other	<u> </u>
3.	Total Value/Sales Price of the tyre	\$ 100,000,00
	Deed in Lieu of Foreclosure only value of p	property) (
	Transfer Tax Value:	\$
	Real Property Transfer Tax Due:	s340.00
7.	Transfer Tax Exemption per NRS 3 Explain Reason for Exemption:	,000 Section #
	NRS 375.110, that the information provided be supported by documentation if called upon Furthermore, the parties agree that disallows additional tax due, may result in a penalty of ant to MRS 375.030, the Buyer and Seller al	, under penals, of perjury, pursuant to NRS 375.060 and is correct to the lest of their information and belief, and can not substantiste the information provided herein, not of any claimed exemption for other determination of 10% of the tax due plus interestration for month.
Sion of	are: Jan	Capacity Ray of
Signat	pre)	Capacity Buy of
Print N	SELLER (GRANTOR) INFORMATION (REQUERED) ISSUE: Polyce Californic Polyce C	BUYER (GRANTEE) INFORMATION (REQUIRED) Prior Name:
Addre	ss Saith	Address: + O. Cox 15
Cister	N.h. 132 Zio: R 940?	City: Lighting to Mark
CHY	2000	State: 12641-7 7 29444
State:	10. 21p: 155 740 3	State: NU Zip: B9444
	PANY/PRISON REQUESTING RECORDIN required if was the settler or buyes)	
Print N	Author is an ast trace or police)	Escrow #
	58:	
	State	
	EAS A PRINCIPO DECORDO TARREDO A 2.5.1	RM MAY BE RECORDETYMICROFTLMED)

Case 3:73-ccv-00127-MMD-CSD Pocument 2/Filed 02/24/06 Page 20 of 40

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APN: 10-301-10 seconding Requested; sphen recorded, mail for John J. and Veroniza L. Zwart. 270 Grovenstein Howy. So. Schastopol, CA. 95472

Mail Tay State (tents to: John J. and Veronics L. Zwart £570 Gravenstein Ergs So. Schestopol, CA 95472 DOC # 338092 12/16/2000 11:52 PM Official Record Becart lead to the control of th

Lyon County - IN Name C. Hillians - Recorder

2001

ER RIGHTS GRANT DEED

THIS INDENTURE, made and entered into this 13 day of December, 2004, by and between ROLAND and LEE FAIFERPS, horband and wife, party of the first part, and JOHN J. and VIRONICA L. ZWART, husband and yele as joint tenants, party of the second part;

WIT ES PIH

FOR VALUABLE CONSIDERATION, receipt to which is hereby acknowledged, the said party of the first part hereby grants, transfers, and to have a unto the said party of the second part, a I right, title and interest in twenty (20) acre-feet of classes water rights evidenced in Nevada Application/Permit Number 36524, Certificate 12481, to be utilized only on the following described real property: That certain piece and parcel of real property known as Lyon County Assessor's Parcel No. 10-301-10 and more particularly described assollo as:

All that certain real property situate in the County of Lyon State of Nevada, within the West portion of Section 23, T. 11 N., 22.5 M.D.B.&M., described as follows:

Parcel 1 as shown on that certain Parcel Map for Finn R., William B., & Judith A. Jacobsen, filed in the office of the Lyon County Recorded on August 7, 1995 as document No. 184676.

Excepting therefrom that certain Parcel conveyed to Sierra Pacific Power Company by Deed recorded March 10, 1945 in Book 35, page 512, Deed Records of Lyon County, Nevada. page 512, Deed Records of Lyon County, Nevada.

Page 1 of 2

Case 3:783-CV-120127-14MMDDCSD-Degunant12/08/1266-02/24/Q6-12age 21 of 40

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12/14/2004 602 of 2

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EOLALD FATEREK

LU -

ACKNOWLEDGMENT

STATE OF NEVADA

COUNTY OF AUTO

On 13 1/2 December 104 before me,
Notary Public, personally appeared R. S. No PAIFEREK and LEE FAIFEREK, personally
known to me (or proved to me on the basis of entirfactory evidence) to be the persons whose
mames are subscribed to the within instrumer and cknowledged to me that they executed the
same in their authorized capacities, and that is their squatures on the instrument, the persons, or
the entity upon behalf of which the persons acted account the instrument.

WITNESS my hand and official seal.

5

LYBI V. LOCKLEAR

Motory Public - State of Nevada,
Applicative Resorber to Lyon County
for 99-30017-12 - Express Fathway 3, 100a

ALEXAND PUBLIC CONTROL OF THE PUBLIC CONTROL

DOC # DV-338092 STATE OF NEVADA DECLARATION OF VALUE FOR RECORDERS OPTIONAL USE ONLY 2. Type of Property: a) [] Vacant Land b) [] Single Fam. Res. DOCUMENT/INSTRUMENT#: c) [] Condo/Tvettyte d) [] 2-4 Plex DATE OF RECORDING ef) U Comm'l/Ind'i e) U Apt. Bldg NOTES: DIALLES appeared planded i) A Other Mobile Home 40,000 3. Total Value/Sales Price lue of property) Deed in Lieu of Poreclosit Transfer Tax Value: Real Property Transfer Tax Due 4. If Exercation Claimed: a. Transfer Tax Exemption per NRS 3 b. Explain Reason for Exemption: 5. Partial Interest: Percentage being transferred: The undersigned declares and acknowledges, under penals of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the test of their information and belief, and can be supported by documentation if called upon to substantiate the information on provided herein. Furthermore, the parties agree that disallowance of any claimed execution of other determination of additional tax due, may result in a penalty of 10% of the tax due plus 1% per month. Pursuant to NRS 375.930, the Buyer and Seller shall be jointly and sever amoust owed. Capacity Signature Capacity Signature BUYER (GRANTEE) INFORMATION SELLER (GRANTOR) INFORMATION (REQUIRED) City: City: 544 City: Ĉity: State: COMPANY/PERSON REQUESTING RECORDING (imquired it not the seller or buyer). Print Name: Factow # Address State: City:

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

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AP.N.# 010-181-13	Eyen County - IV
APALA 010-181-13 R P.T T Responses Requested By:	Harry C. Hilligan - Recorder
Shewart Tiths of Northson Newada	
Mail Tax Statements To: Sams As Bolow	6780514
Granies Accorded Mail To:	
1955 Baring But Sparts, N./. 8942	
GRANT, BARGAIN, STHIS INDENTURE WITHESTAND THE Roland Failler wife for valuable consideration, an receipt of which is horard. Bargain Self and College BENTWAY INVEST Neva to smilled Stability conspans and to the heirs and assigns of each Goldstafforever, at County of Lyon, State of Nevada, business and describe See Exhibit "A" attached herato and by reserve a receive description. Together with all and singular the tenements, investigate belonging or in anywise appartaining, and any revention profits the mof. Dated: State of Andrew See Connected and before me on br Roland Eulerack and Lee Falfarer. Signature: Notary Public	nek and Lee Felferek, husband and oreby acknowledged, dose hereby INDERTS SMITH VALLEY, LLC, a I that real property situated in the ed as follows:
	JUST O COMMAND AND AND AND AND AND AND AND AND AND

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88/23/2985 682 of 2

EXHIBIT "A" LEGAL DESCRIPTION

Order No.: 05012583104

The landstefarred to herein is situated in the State of Hevada, County of CYCH COUNTY, described as follows:

OF A POSITE OF THE LAND SITUATED IN THE E 1/2, SECTION 31, T 12E., R 21E M.J.R & M., IN LYON COUNTY, NEVADA. MORE PARTICULARLY DECEMBED AS FOLLOWS:

CONCENCING AT THE COTTER OF SECTION 31, T. 12 H., E 24 H., N.O.B. AM. BURKENSISTE A 5/8" REBAR AND BRASS TAG STAMPED PLS 4248 HAID FOIRT ALSO WILES THE POIRT OF BEGINNING. MELOCE RUBNING ALONG THE WEST LUME OF THE RE 1/4 OF SAID SECTION 31, W 00"48"17" W., 656.11 FEW TO POIRT MARKED WITH A 5/6" REBAR AND ALUM CAP STAMPED PLE 12.48; TRUNCE, W 89" 28'32" E, 1246.45 FERT TO A POIRT MARKED WITH A 5/6" REBAR AND ALUM CAP STAMPED PLE 12.468; THENCE, W 89"54" FERT, TO A POIRT MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED PLE 12468; THENCE, N 87"59"10" E, 1412.75 ERT, TO A POIRT MARKED WITH A 5/8" REBAR AND BRASS TAG STAMPED TO 7248; TENCE, S 00"55"56" E, 147.28 FERT, TO THE E 1/4 COR. W 85/8 ECCTION 31, MARKED WITH A 5/8" REBAR AND ALUM CAP STAMPED FLS 12468; TRENCE, S 00"58"51" E, 2680.67 FERT TO THE SE ON. OF SAID SECTION 31, MARKED WITH A 87REL FENCE POST AND BRASS TAG STAMPED RLS 4248; TENCE, S 59"52"36" W, 2668.74 FERT TO THE SE 1/4 COR. OF SAID SECTION 31, MARKED WITH A 87REL FENCE POST AND BRASS TAG STAMPED RLS 4248; TENCE, S 59"52"36" W, 2668.74 FERT TO THE SE 1/4 COR. OF SAID SECTION 31, MARKED WITH A 5/8" REBAR AND BRAST THE STAMPED RLS 4248; TENECE, N 00"48"17" W, 2667.75 PERT TO THE SE 1/4 COR. OF SAID SECTION 31, WALKED WITH A 5/8" REBAR AND BRAST THE STAMPED RLS 4248; TENECE, N 00"48"17" W, 2667.75 PERT TO THE SE 1/4 COR. OF SAID SECTION 31, WALKED WITH A 5/8" REBAR AND BRAST TO STAMPED RLS 4248; TENECE, N 00"48"17" W, 2667.75 PERT TO THE SE 1/4 COR. OF SAID SECTION 31.

"IN COMPLIANCE WITH MEVADA REVISED STATUTE 111. 12 TO MERRIM ABOVE LEGAL DESCRIPTION WAS TAKE? FROM INSTRUMENT REOF ED JUNE 14, 2002, AS FILE NO. 276340, RECORDED IN THE OFFICIAL LEGALS OF LYON COUNTY, STATE OF NEVADA."

ASSESSOR'S PARCEL NO. 14-181-13

*** THIS IS AN UNCIFFICIAL DOPY ***

		DOC #	DV=360216 M:12 M Simil Record
	- •	STEMPET TE	NEBITHON 2
STATE OF NEVADA 1. Assessor Parcel Humber(s)	FOR PRICORS	mary 4.	
a) <u>10-181-13</u>	Documentin	Page 1 at	2 Fot: \$15.60 : NON NOTE: \$8,040.00
b)	Book	-	. (
c)	Date of Reco		
đ	Notes:		
2. Type of Property			
	Fluidy PositionCl) .	
c) Condo/Turana a 2-4 Pl			
(a) Agent (b) Mobile	Home		
1) X Other C. RIVILTURAL L	ITH BESIDE		•
1), Total Value/Sales Conf. Disperty		12.561	900.00
Deed in Lieu of Forecasting Chir (Value of I Transfer Yeak Value	Property) (\$2 BES	,000.00
Real Property Transfer Taylou			946.00
A. If Exemetion Claimed:	4	9	74 g.40
	.090, Section:		<u> </u>
b. Explain Reason for Exemption	<u> </u>		
5. Pertial interest: Percentage being transfer.	W X	 	
The undersigned declares and acknowledges, in NRS 375,110, that the information provided is co	description of party	ay, pursuant	to NRS 375.060 and
rus he appropried by decreasing a celled se-	en Mariantania	the informal	lon excelded herein.
Furthermore, the disallowence of any claimed ass	empterPor other d	etermination :	of additional tax due,
mey result is a penalty of 10% of the tax dus plus Pursuant to NRS 375,030, the Buyer and Se			raily Nable for any
andstonal impount exect.	(
200-		\mathbf{C}	_
Signature: Kb TE	Ca.	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	CANTOR
Signature: Lee terferet	C4	pacity:	TOR
SELLER (GRANTOR) INFORMATION	BUYER IGRA	NTEF) (NEC	RICHARD
Print Name: Roland Faiferek		evere Barker	7.7
Address: PO Rox 115	Address:		
City/State/Zip SinJTH NV 89430	City/State/Zip		
		1 16 a a 4 fb a 10.	Mara de Durant
Company Name: Stewart Title of Northern			44-25
Addresse: 5355 Kletzke Lane, Suite 103		. ——· -	
Address: 10.5300 rusticus caire, ocus yuu	- Atento - M/V	7)6	na611
City Reng	State: NV		89511
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| 40% 20% | 10% 20% 40% 10% 11% 11% 10%

0V-366216 08/25/2005 082 of 2

, Assessor Parcel Number(s)	FOR RECORDER'S OPTIONAL USE ONLY
a) 10-181-1301(.	Document/Instrument No.
b)	Book Page
c)	Date of Recording:
d)	Notes:
. Type of Fraillerty	
a) VacantiLand b)	Single Family Residence
c) Como/Typhen d)	2-4 Plax
	Commercial/Industrial
g) Agricultural h)	Mobile Home
I) Other	
. Total Value/Sales Price Company	:12,651,000.00
Eread in Liquiof Forectosures his (Va	of Property) ()
Transfer Tax Value	32,551,000.00
Fleat Property Transfer Tax Due:	\$9,946.00
. W Exemption Claimed:	निम्रहे न०
a. Transfer Tax Exemption, per NR	\$ 35.090(Section:
•	
Pertial Intenset: Percentage being trans a undersigned declarge and acknowledg is 3/5.110, that the information provide is supported by documentation if cal thermore, the disallowence of any claim is result in a penalty of 10% of the tax du	ies, under penary appertury, purauent to NRS 375.0 d is correct to the peat of their information and belief upon to substitutiate the information provided led exemption or other determination of additional tall plus interest at 1% per month.
Pertial Intenset: Percentage being trans a undersigned declaree and acknowledges 375.110, that the information provides to be supported by documentation if can thermore, the disallowence of any clean y result in a penalty of 10% of the tax during users as	ies, under penny groenury, pursuent to NRS 375.0 d le correct to traceat of their information and bell lied upon to substitution their information provided led exemption or other determination of additional to
Partial Intenset: Percentage being trans a undersigned declares and acknowledge IS 375.110, that the information provide in be supported by documentation if cal othermore, the disallowence of any cleim by result in a penalty of 10% of the tax du- watern to NRS 375.936, the Buyer at ditional amount owed.	ties, under pennyly apperjury, pursuent to NRS 375.00 dile correct to the best of their information and belief upon to substitutiate the information provided red exemption or other determination of additional tale plus interest at 1% per month. Ind. Setter shall be jointly und severally flable for
Partial Interior. Percentage being trans a undersigned declares and acknowledges \$ 375.110, that the information provides the supported by documentation if call thermore, the disallowence of any cleim y result in a penalty of 10% of the tax durant to INITS 375.030, the Buyer autitional amount owed.	des, under penney geberjuny, purauent to NRS 375.00 de le correct to tre best of their information and belief upon to substitution to their information provided as exemption or other determination of additional to be plus interest at 1% per month? Capacity: Capacity: Capacity:
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Pertial Intenset: Percentage being transe undersigned declares and acknowledge is 3/5.110, that the information provides the supported by documentation if call thermore, the disallowence of any cleim ty result in a penalty of 10% of the tax durant to NRS 378.030, the Buyer additional amount owed. Signature: Bignature: Bignature: Roland Failerek	ces, under penny groerjury, pursuant to NRS 375.00 d le correct to the past of their information and belief upon to substitutiate the information provided sed exemption or other determination of additional tale plus interest at 1% per month. Capacity:
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Pertial Intenset: Percentage being transport of pundersigned declares and acknowledges \$3.75.110, that the information provides the supported by documentation if call thermore, the disallowence of any cleim y result in a penalty of 10% of the tax during the Ntts 375.030, the Buyer as fitternal amount owed. Signature: Hignature: Hignature: Roland Fallerek Print Name: Light 115.	ces, under penny or berjuny, pursuent to NRS 375.00 die correct to the best of their information and belied upon to substitutiate the information provided led exemption or other determination of additional tale plus interest at 1% per monst. Capacity: Capacity: Capacity: Capacity: Capacity: Granue N BUYER (GRANTEE) INFORMATION RIGHTWAY INVESTMENTS SMITH VALLEY, L.C. Address: 1955 Bazzing Blvd
Pertial Interior. Percentage being trans a undersigned declares and acknowledges \$375.110, that the information provides to a supported by documentation if call thermore, the disallowence of any cleim ty result in a penalty of 10% of the tax duration at the NRS 376.936, the Buyer as difficient and amount owed. Signature: Bignature: Bignature: Roland Failorek Print Name: Individual Society	d is correct to the best of their information and belied upon to substitutiate the information provided and exemption or other determination of additional as a plus interest at 1% per month. Capacity: Capacity: Capacity: Capacity: Granus BUYER (GRANTEE) INFORMATION Print Name: SMITH VALLEY, L.C. Address: 1955 Baring Blvd City/State/Zip Sparks:, NV 89434
Partial Intenset: Percentage being transport undersigned declares and acknowledges \$ 3/5.110, that the information provides be supported by documentation if call thermore, the disallowence of any cleim y result in a penalty of 10% of the tax dues under the NRS 378.030, the Buryer autitional annount owed. Identifications: EL ER (GRANTOR) INFORMATION Roland Failonek (Inth Name: Address; P.O. Box 115 (Int) State/Zip Smith, NV 89430 (Int) State/Zip Smith, NV 89430 (Int) PANY/PERSON REQUESTING	d is correct to the best of their information and belied upon to substitutiate the information provided sed exemption or other determination of additional tale plus interest at 1% per monte. Capacity: Capaci
Partial Interior. Percentage being transported by undersigned declares and acknowledges \$ 3/5.110, that the information provides be supported by documentation if call thermore, the disallowance of any cleim y result in a penalty of 10% of the tax distribution to NRS 378.030, the Buyer as aftional amount owed. Signature: Identification Relation Relations Related Failorek Inthination Relations Relations Related Failorek Inthination Relations Relation	d is correct to the best of their information and belied upon to substitutiate the information provided sed exemption or other determination of additional tale plus interest at 1% per monte. Capacity: Capaci
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Perial Intenset: Percentage being transe undersigned deciarse and acknowledges 375.110, that the information provider to be supported by documentation if calcifermore, the disallowence of any cleim to result in a penalty of 10% of the tax durant to Nit3 378.930, the Buyer auditional amount owed. Bignature: Bignature: Bignature: Bignature: Company Section 115 Company Name: Stewart Tills of Not Not 115 Company Name: Stewart Tills of Not Name:	capacity:

DOC # 360217

m/23/200 M:14 M Official Record Lyen County - MV Mary C. Hilligan - Recorder A.P.M.# 010-181-15 & 16 Stavert Tide of Monthern Nevada Maji Taj Statements To: When Becarded Med To: Grantee 1965 Baring Co Sperks, N/ 894 GRANT, BARGAIN, SALE DEED THIS INDENTURE VI with for valuable consideration, to Grant, Benjain Self and Conveyed Netrada in sheet limbility company receipt of which is hereby acknowledged, does hereby and to the heirs and sesigns of such Gardenforever, all that real property situated in the County of Lyon. State of Nevada, boanded and described as follows: Set: Exhibit "A" attriched hereto and by n belonging or in serywise apportuining, and any re profits thereof. County of Characteristics acknowledged before in by: Roland Factorist and Lee Failures. Stoneture: Roland Factorist Public

(Cros b) the Morgán can all sides of Documents for Requester's use (1987) Page 1 of 2

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EXHIBIT "A" LEGAL DESCRIPTION

Order Ho.: 05012584306

The land aftered to herein is situated in the State of Mewada. County & LTM COUNTY, described as follows: BEDSG & FORTH BY SECTION 31, T128, R24E, MDB4M, MORE

BY SECTION 31, Tile, R24E, MOREN, MORE CATRED AS POLLOWS: PARTICULARUM

AND COUNTY, MENTALM MAN OF DIVISION INTO COUNTY, MENTALM MAN OF JUME 30 3004 TO PARCELS A AND HAS

ASSESSOR'S PARCEL NO. 101-15 AMD 16

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DOC # DV-360217

Consected By STEMPT FITLE HORNERN

DESCRIPTION OF THE	, Farma Amarika AMA
1. Assessor Flacos! Number(s)	FOR RECORDER'S Page 1 of 2 Fee: \$15.00
10-181-15 & 10-181-10	Becorded By: RCH APTT- 95,451.16
4)	Document/Instruit
b)	Book
c)	Date of Recording:
d)	Note:
2. Type of Property	
a) Visca (Land b)	Single Family Residence
	2-4 Plex
c) co	= - · · · - · ·
a) Apartmaxting 1	Commercial/Industriel
g) X Agricultural	Mobile Home
a Coner Car	₹
3. Total Valus/Sales Price of President	\$1,449,000.00
Deed in Lieu of Foreclosure Only (
Transfer Tax Value	\$1,449,000.00
Real Property Transfer Tax Due:	\$5,851.10
4. Il Exemption Claimed:	
1. Transfer Tax Exemption, per	NRS 374450 Section:
ti, Explain Reason for Exemption	nt
5. Partial Interest: Percentage being *	ansferred: 1034 %
NRS 375.110, that the information provides he supported by documentation if Furthermore, the disallowance of any of may result in a penalty of 10% of the tox Pursulent to 14RS 375.030, the Buyer	idges, under penalty of perjuty, pursuant to NRS 375.090 and ided is correct to the first of their information and belief, and called upon to substantiate the information provided herein, almost exemption or other determination of additional tax due, due plus interest at 1% per mount. r and Seller shall be jointly and a sellingly liable for any
additional amount owed.	
Signature: PO	Capacity: Garage
Signature:	Capacity: Grante
SE) LER (GRANTOR) INFORMAT	TON BUYER (GRANTEE) INFORMATION RIGHTWAY INVESTMENTS
Print Name:	Print Name: SMITH VALLEY, LLC
Address: P.O. Box 115	Address: 1955 Baring Blvd
	NV City/State/Zip Sparks, NV 89434
69430	
COMPANY/PERSON REQUESTIN	IG RECORDING (required if not the Seiler or Buyer)
COMPAN INCLINATION DESCRIPTION	IG RECORDING (required if not the Seller or Buyer)
Company Name: Stewart Title of	IG RECORDING (required if not the Seller or Burrer) Northern Neveda Escrow No 505447-25
Company Name: Stewart Title of Address: 5355 Kletzke Lane, Suite	Northern Nevada Escrow No 505447-25
Company Name: Stewart Title of Address: 5365 Kietzke Lane, Suite	Northern Nevada Escrow No 505447-25

THIS IS AN UNOFFICIAL COPY ***

DV-368217 88/23/280% 882 of 2

, Assessor Parcel Number(s)	POR RECORDER'S OPTIONAL USE ONLY
10-181-15 & 10-161-16	
	Document/Instrument No.
b	BookPege
c'	Date of Recording:
d i	Notes:
Type of Property	
	Single Family Residence
	2-4 Plax
	• • • • • • • • • • • • • • • • • • • •
aı Apartmart (Commercia/Industrial
g) Agriculture	Mobile Home
i) Other	
3. Total Value/Sales Price of Price	\$1,449,000.00
Deed in Lieu of Foreciosure Only Only	Property) ()
Transfer Tax Value	\$1,449,000.00
Real Property Transfer Tax Ous:	\$5,651.10
4. † Exemption Claimed:	
a. Transfer Tax Examplion, per NRS	s 37 mag Section:
 Explain Reason for Exemption: 	
5. Purties interest: Percentage being trans	
5. Partial Interest: Percentage being trans- the undersigned declares and acknowledge RS 375.110, that the information provided an the supported by documentation if call- urthermore, the disadowance of any chalma lay result in a pensity of 10% of the tax dur- ure sent to NRS 375.930, the Buyer an	se, under penalty of perjury, pursuant to NRS 378.060 it is correct to the best of their information and ballet, it all upon to substantiate the locarmation provided here at exemption or other determinant of additional tax of plus interest at 1% per molin.
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5. Partial Interest: Percentage being transitive undersigned declares and acknowledge RS 375.110, that the information provided in lie supported by documentation if call urthermore, the disallowance of any claims lay lesuft in a penalty of 10% of the tax due ure sant to NRS 375.930, the Buryer and difficult annount owed. Signature: Signature: Signature:	the under penalty of perjury, pursuant to NRS 375.060 it is correct to the best of their information and ballet, and upon to substantiate the information provided here at exemption or other determination of additional tax of plus interest at 1% per mount. If a continue the period of the continue the plus interest at 1% per mount. Capacity: Capacity:
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5. Partial Interest: Percentage being transine undersigned declares and acknowledge RS 375.110, that the information provided an tie supported by documentation if call understoners in a pensity of 10% of the tax declares sant to NRS 375.930, the Buyer and difficult announce of the tax declares sant to NRS 375.930, the Buyer and difficult announce owed. Signature: SELLER (GRANTOR) INFORMATION Roland Faiferek Print Name: Address: P.O. Box 115	the under penalty of perjury, pursuant to NRS 378.060 if its correct to the their of their information and belief, it all upon to substantiate the locarmation provided here and exemption or other detect that in a distinct of additional tax of plus interest at 1% per model. It is not the period of their information of additional tax of plus interest at 1% per model. Capacity: Capacity: Gapacity: BUYER (GRANTEE) INFORMATION RIGHTWAY INVESTMENTS SMITH VALLEY, LC
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•		09/26/2005 Official	Record
RECORDING REQUESTED BY: RICHARD FARRAR DOLORES M. FARRAR)	Requested By BENEFITS COMMUNICATION Lyon Count Mary C. Milligan Page 1 of 2 F	y – NV – Recorder **: \$15.00
P. O. Box 211 Smith, Nevada 89430- WHEN RECORDED MAIL TO: SAME AS ABOVE)))	0363296	\$
MAIL TAX STATEMENTS TO: SAME AS ABOVE)))	909 marina Vill PMB 245 Mlameda, CA 9	109e PKMY 1501
WADD	ANTV DEED	Space above for Recorder's use	only.

NOTICE:

THIS CONVEYANCE IS TO A TRUST NOT PURSUANT TO A SALE AND IS EXEMPT FROM TAX AND THE UNDERSIGNED ARE THE DECLARANTS AND TRUSTEES ON THE EFFECTIVE DATE OF THIS INSTRUMENT.

DOCUMENTARY TRANSFER TAX \$ NONE Computed on full value of property conveyed or computed on full value less liens and encumbrances remaining attime of sale

APN: 9-152-02 We, RICHARD FARRAR and DOLORES M. FARRAR, Husband and Wife, as joint tenants, do hereby grant to RICHARD FARRAR and DOLORES M. FARRAR, trustees of THE FARRAR FAMILY TRUST, dated FEBRUARY 2, 2005, all that real property situated in the County of Lyon, State of Nevada, described as follows: See EXHIBIT "A" (LEGAL DESCRIPTION), Attached hereto and made a part hereof. Address: 115 Mt. Grant Drive, Smith, NV 89430 State of California County of Sound Las On 9-16-05, before me, Doulo Mildebrara, a Notary Public for the State of California, personally appeared RICHARD FARRAR and DOLORES M. FARRAR, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity on behalf of which the persons acted, executed the instrument. DAVID HILDEBRAND Commission # 1463516

Notary Public - California Alameda County My Comm. Expires Feb 4, 2008

[Seal]

WITNESS my hand and official seal.

Notary Public, State of California

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the TIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-14-05	X m. P. Flord
Date: 11-14-05	Signature
	Michael P. FLood
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: of
	(Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 3.9 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 23 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 27 telephone number, and facsimile number:

28

(Signature)

(Printed or typed Name)

(Entity, if any, on whose behalf you are appearing)

(Address)

(Telephone number)

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NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO:

Levane Forsythe 1425 Highway 208 Yerington, NV 89447 NEW OWNER: Murl E. Williams, Jr.

You have been named as a Defendant in a civil action filed in the United States District Court in Reno, Nevada, entitled *United States v. Walker River Irrigation District* and assigned the court docket number In Equity C-125, Subfile C-125-B. You have been named as a Defendant because you are among a large number of persons and entities identified as having an ownership interest in certain water rights that the Court has directed to be included in this case.

You should note that on May 27, 2003, the Court stayed all proceedings in this matter, except for service-related matters, to allow the United States, the State of Nevada, the State of California, the Walker River Paiute Tribe, the Walker River Irrigation District, Mono County, California, Lyon County, Nevada, Mineral County, Nevada, and the Walker Lake Working Group ("Mediating Parties") to attempt to mediate a settlement. *Order Governing Mediation Process* (May 27, 2003). Although the Mediation Process is confidential, the Mediation Process Agreement signed by the Mediating Parties recognizes that all parties to this case, among others, will need to be informed at appropriate times about the Mediation Process.

Rule 4 of the Federal Rules of Civil Procedure provides that under certain circumstances you can avoid being assessed the cost of being personally served if you do not sign a waiver and accept service by mail. The materials that have been sent you in this package include a waiver form, instructions, and a self-addressed, stamped envelope for returning the waiver form. There are also other documents enclosed that address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. Please read these materials carefully, as they are important to your legal rights. Please note that some of these papers are single-sided and others are double-sided.

Enclosed are the following [8] documents:

- 1. Notice of Lawsuit and Request for Waiver of Service of Notice in Lieu of Summons:

 That is the title of this document (see the title at the top of this page). Please begin your review with this 5-page document. (This document is double-sided, except page 1.)
- 2. <u>Waiver of Service of Notice in Lieu of Summons</u>: Two copies of this document are enclosed, one for your records and one that you may send in the enclosed envelope to SUSAN L. SCHNEIDER of the United States Department of Justice, if you choose to execute the document. (This document is single-sided.)
- 3. <u>Notice of Appearance and Intent to Participate</u>: (This document is single-sided.) If you choose to sign this document, you <u>must</u> file the original with the District Court and you

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- ž 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	mul E with A	
Date: DECEMBER 21, 2005	Signature	
•	Murl E. Williams, Jr.	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify tha	it you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case \$:73-cv-00127-MMD-CSD Document 2 Filed 02/24/06 Page 38 of 40

	<i>ii</i>	
1.	Attorney:	Baran da sa um en consecuencia de la calega de la compania de la compania de la compania de la constitución de
2		
3	Address:	
4		
5	-	
	Phone Number:	
6	li	
7	Fax Number:	•
8		(Signature)
9.		(Signature)
10		
11		Murl E. Williams, Jr.
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		1425 Hwy 208
17		Yerington, NV 89447
1 B		(Address)
į,		775-463-7624
19		(Telephone number)
20		
21		
22		
23		•
- 1	· · ·	
24		

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: October 26, 2005	Signature Gary J. Garms	
	Printed/Typed Name If you are acting on behalf of any entity, identify tha	t vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lord of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1.	•	FII ~		
2	IN THE UNITED STATES DISTRICT COURT ED FOR THE DISTRICT OF NEVADAUCT 27 PM 3: 22			
3	UNITED STATES OF AMERICA,	LANCE S. WILSON		
4	Plaintiff,	BY		
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. 6-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.	, r r		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE			
11	 I hereby enter my appearance in this sub 	-proceeding in this case.		
1.2	I am filing this document with the Distri	ict Court at the following address:		
13	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301			
15	Reno, Nevada 89501			
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of			
_ B	Summons, I am mailing a copy of this document to:			
.: 19	Susan L. Schneider Attorney for the United States of Americ	ca		
20	United States Department of Justice Environment & Natural Resources Division			
21	P.O. Box 756 Littleton, Colorado 80160			
2.2	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections			
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen			
26	me in these proceedings. I identify that attorney below, along with his or her mailing address			
27	telephone number, and facsimile number:			
28				